



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 on April 1, 2004.

Frank C. Eisenschenk
Frank C. Eisenschenk, Ph.D., Patent Attorney

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Patent Application
Docket No. TPI-350C1
Serial No. 10/660,202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Örn Almarsson, Magali Bourghol Hickey, Matthew L. Peterson, Michael J. Zaworotko, Brian Moulton, Nair Rodriguez-Hornedo
Serial No. : 10/660,202
Filed : September 11, 2003
For : Pharmaceutical Co-Crystal Compositions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §§1.97 AND 1.98

Sir:

In accordance with 37 CFR §1.97 and §1.98, the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents and the Search Report are enclosed. It is respectfully requested that the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B be considered and made of record in the examination of the subject application.

The undersigned hereby certifies that the items of information contained in this statement were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Applicants respectfully assert that the requirements of 37 CFR §§1.97 and 1.98 are met by the foregoing.

Though no fees are believed to be required for this paper, the Patent Office is hereby authorized to charge any fees required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: 2421 N.W. 41st Street, Suite A-1
Gainesville, FL 32606-6669

FCE/ehm

Attachments: Forms PTO/SB/08A and PTO/SB/08B
Copies of Listed References

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/660,202	
	Filing Date	September 11, 2003
	First Named Inventor	Orn Almarsson
	Art Unit	
	Examiner Name	
Attorney Docket Number	TPI-350C1	

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

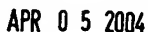
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	5	WEISSBUCH, I. et al., "Understanding and Control of Nucleation, Growth, Habit, Dissolution and Structure...", Acta Cryst. (1995), pp. 115-148, vol. B51	

Examiner Signature		Date Considered	
---------------------------	--	------------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	10/660,202
Filing Date	September 11, 2003
First Named Inventor	Orn Almarsson
Art Unit	
Examiner Name	
Attorney Docket Number	TPI-350C1

Sheet	1	of	2
-------	---	----	---

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	1	WO 03/074474 A2	09-12-2003	Zaworotko et al	Pls review all	
	2	WO 03/033462 A2	04-24-2003	Matzger et al.	Pls review all	
	3	WO 01/51919 A2	07-19-2001	Levinson et al.	Pls review all	
	4	WO 01/42222 A1	06-14-2001	Ferro et al.	Pls review all	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND**

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.